

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARY WILLIAMS,

Petitioner,

- against -

05 CV 2479 (NG) (VVP)

ORDER

DALE ARTUS, *Superintendent of Clinton
Correctional Facility,*

Respondent.
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GERSHON, United States District Judge:

Pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts this habeas corpus petition has been reviewed. Having concluded that the petition should not be summarily dismissed pursuant to Rule 4, it is

ORDERED, that the respondent file a complete and entire answer or other pleading to the petition within sixty (60) days of the date of this order, and it is further

ORDERED, that pursuant to Rule 5 of the Rules Governing Section 2254 respondent shall address in the answer whether petitioner has exhausted state remedies, and it is further

ORDERED, that the respondent submit with the answer to my chambers copies of the trial transcript, State court briefs and supporting papers of both the People and the defendant on direct appeal and on any post-trial motions or motions brought in any collateral proceeding, and on any appeals of such motions, as well as copies of any orders disposing of any motions, **OR A SWORN DETAILED STATEMENT AS TO WHY ALL OF THESE DOCUMENTS ARE NOT BEING SUBMITTED**, and it is further

ORDERED, pursuant to Rule 4, that the Clerk of the Court serve copies of this Order and the petition for a writ of habeas corpus by certified mail upon the Attorney General of the State of New York and the District Attorney for Queens County.

ORDERED, that petitioner is granted leave to proceed without being required to prepay fees or costs, or give security therefor.

Nina Gershon

NINA GERSHON
United States District Judge

Dated: September 21, 2005
Brooklyn, New York